



GAIL FARBER, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE

August 09, 2016

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26 August 9, 2016

LORI GLASGOW
EXECUTIVE OFFICER

**COUNTY IMPROVEMENT DISTRICT NO. 2661-M
CARROLL DRIVE SEWERS
UNINCORPORATED COMMUNITY OF ALTADENA
RESOLUTION ORDERING DISPOSITION OF THE BALANCE
OF THE IMPROVEMENT FUND
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is necessary so that the Treasurer and Tax Collector can return and/or credit to property owners the balance of funds that have been levied for the construction of a sanitary sewer benefiting County Improvement District No. 2661-M, Carroll Drive Sewers.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed action to adopt a resolution ordering disposition of the balance of the improvement fund for County Improvement District No. 2661-M, Carroll Drive Sewers, does not constitute a project pursuant to the California Environmental Quality Act for the reasons stated in this letter.
2. Approve the enclosed resolution ordering disposition of the balance of the improvement fund for County Improvement District No. 2661-M, Carroll Drive Sewers.
3. Direct the Treasurer and Tax Collector to issue refunds or credits against future assessments to the owners of property in County Improvement District No. 2661-M, Carroll Drive Sewers, for the

balance of the improvement fund totaling approximately \$53,517.59, in accordance with the enclosed resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On April 8, 2014, the Board of Supervisors adopted a Resolution of Intention under the Municipal Improvement Act of 1913, Division 12, Section 10000 et seq. of the California Streets and Highways Code, for the construction of sanitary sewers on Carroll Drive in the unincorporated community of Altadena, formation of County Improvement District No. 2661-M, Carroll Drive Sewers (Improvement District), and issuance of 1915 Act Limited Obligation Improvement Bonds secured by assessments levied upon properties within the Improvement District to finance the construction.

At the Board's direction, an Engineer's Report was prepared and filed in accordance with Article XIID, Section 4, of the California Constitution and Section 10204 of the California Streets and Highways Code, setting forth, among other things, the estimated costs and expenses relating to the improvements and the maximum assessment that would be imposed upon each parcel in the Improvement District.

On June 4, 2014, after conducting a public hearing, tabulating ballots, and determining that no majority protest existed, the Board adopted a resolution confirming the levy of assessments and ordering the improvements. Property owners within the Improvement District were given the option to either pay the assessment in full or to pay the assessment in installments over a 20-year period.

After completion of the sanitary sewers and the payments of all claims from the improvement fund, there remains a balance of approximately \$53,517.59 to be returned to the property owners. The exact final amount of the balance could vary slightly from this amount because of factors such as the accrual of interest.

Implementation of Strategic Plan Goals

This Countywide Strategic Plan directs the provision of Integrated Services Delivery (Goal 3) as the project provides public works infrastructure services that improve the quality of life for County residents.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund. The Board's approval of the resolution will not result in any direct impact on the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed resolution ordering disposition of the balance of the improvement fund has been reviewed and approved as to form by County Counsel.

The balance shall be returned in cash to the property owners that paid their assessment in full and as a credit against the remaining assessments for the property owners who opted to pay their assessment over a 20-year period.

ENVIRONMENTAL DOCUMENTATION

The recommended action is not a project pursuant to the California Environmental Quality Act because it is an action that is excluded from the definition of a project by Section 15378(b) of the California Environmental Quality Act Guidelines. The proposed action to adopt a resolution to dispose of the balance of funds for the Improvement District is an administrative activity of government that will not result in direct or indirect changes to the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

As a result of this project, reliable sanitary sewer services were provided.

CONCLUSION

Please return one adopted copy of this letter and two originals of the resolution to the Department of Public Works, Programs Development Division; and the Treasurer and Tax Collector; and three copies of the resolution to the Assessor, Auditor-Controller, and County Counsel.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER
Director

GF:JTW:yr

Enclosures

c: Assessor
Auditor-Controller
Chief Executive Office (Rochelle Goff)
County Counsel (Julia Weissman)
Executive Office
Treasurer and Tax Collector

**COUNTY IMPROVEMENT DISTRICT NO. 2661-M,
CARROLL DRIVE SEWERS
RESOLUTION ORDERING DISPOSITION OF THE
BALANCE OF THE IMPROVEMENT FUND**

WHEREAS, on April 8, 2014, the Board of Supervisors adopted a Resolution of Intention under the Municipal Improvement Act of 1913, Division 12, Section 10000 et seq. of the California Streets and Highways Code for the construction of sanitary sewers on Carroll Drive in the unincorporated community of Altadena, formation of County Improvement District No. 2661-M, Carroll Drive Sewers (Improvement District), and issuance of bonds in accordance with the Bond Improvement Act of 1915, Division 10, Section 8500 et seq. of the California Streets and Highways Code to finance the construction of the project secured by assessments levied upon properties within the Improvement District; and

WHEREAS, an engineer's report (Engineer's Report) was duly prepared and filed in accordance with Article XIID, Section 4, of the California Constitution and Section 10204 of the California Streets and Highways Code, setting forth, among other things, the estimated costs and expenses relating to said improvements and the maximum assessment that would be imposed upon each parcel in the Improvement District based upon its proportionate share of the special benefit provided by such improvement (Assessment).

WHEREAS, upon conducting a public hearing and determining that no majority protest existed, on June 4, 2014, the Board adopted a resolution confirming such Assessment, establishing an improvement fund, and ordering that the improvements be made in accordance with the Resolution of Intention and the Engineer's Report; and

WHEREAS, an Assessment diagram for the parcels in the Improvement District was recorded on June 30, 2014, with the Registrar-Recorder/County Clerk. A Notice of Assessment was recorded against each parcel in the Improvement District.

WHEREAS, property owners within the Improvement District were given the option to either pay the entire Assessment in one lump sum, or to pay the unpaid Assessment in installments over a 20-year period, and bonds were issued and sold to cover the unpaid Assessments and finance the estimated costs to construct the sanitary sewers on Carroll Drive.

WHEREAS, after completion of the sanitary sewers on Carroll Drive, and the payments of all claims from the improvement fund, there remains a surplus and the Board desires to revise the Assessment and make a disposition of said surplus.

NOW, THEREFORE, THE BOARD RESOLVES:

SECTION 1. That the work of improvement, as set forth and described in the Resolution of Intention and Engineer's Report, has been substantially completed to the satisfaction of this Board, all payments have either been made or set aside for all existing or potential claims, costs, and expenses, and a surplus remains in the improvement fund in the amount of approximately \$53,517.59. The exact final amount of the surplus may vary slightly from this amount because of factors such as accrual of interest.

SECTION 2: That said surplus shall be applied as a credit or payment to the property owners within the boundaries of the Improvement District as follows:

- A. To those property owners who opted to pay the Assessment in one lump sum, the surplus shall be returned in cash to the person or persons currently owning the property for which the Assessment or installment has been paid;
- B. To those property owners who opted to pay the Assessment in installments, the proportionate share of the surplus shall be applied as a credit to the remaining Assessments in accordance with the California Streets and Highways Code Sections 10427(b) and 10427.1.

[illegible]

The foregoing resolution was adopted on the 9th day of August, 2016, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.



LORI GLASGOW
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Carla Little
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By Julia Weissman
Deputy

p:\pdpub\ep&a\ba&ciunit\cidist\cisew\carrolldrsew\finalacctg\Carroll Dr Sew-Enc